

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Luis Enrique HERNANDEZ-MOLINA

Case No.

Case: 2:23-mj-30006

Assigned To : Unassigned

Assign. Date : 1/10/2023

Description: COMP USA V.

HERNANDEZ-MOLINA (KB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 29, 2022 in the county of Jackson in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8, United States Code, Section 1326(a)

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about December 29, 2022, in the Eastern District of Michigan, Southern Division, Luis Enrique HERNANDEZ-MOLINA an alien from Mexico was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about November 15, 2015, at or near Laredo, TX and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.


Complainant's signature

Monica Alaez, Deportation Officer
Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: January 10, 2023


Judge's signature

City and state: Detroit, MI

Jonathan J.C. Grey, United States Magistrate Judge
Printed name and title

AFFIDAVIT

I, Monica Alaez, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since March 2009. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed the immigration records and system automated data relating to Luis Enrique HERNANDEZ-MOLINA, which reveal the following:
2. Luis Enrique HERNANDEZ-MOLINA, is a thirty-year-old citizen and native of Mexico who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security. This affidavit is submitted for the limited purpose of establishing probable cause of Unlawful Reentry to the United States, a violation of 8 U.S.C. § 1326(a).
3. On or about November 5, 2015, the United States Border Patrol at or near Zapata, Texas apprehended HERNANDEZ-MOLINA. On or about November 6, 2015, U.S. Border Patrol served a Notice and Order of Expedited Removal on HERNANDEZ-MOLINA and removed him to Mexico via the Laredo, Texas point of entry.
4. On or about November 14, 2015, the United States Border Patrol, at or near Zapata, Texas apprehended HERNANDEZ-MOLINA. On or about November 15, 2015, U.S. Border Patrol served HERNANDEZ-MOLINA with a Notice of Intent / Decision to Reinstate prior Order and removed him from the United States to Mexico via the Laredo, Texas point of entry.

5. On or about December 10, 2019, the Belleville Police Department, in New Jersey arrested HERNANDEZ- MOLINA for domestic violence.
6. On or about December 29, 2022, the Jackson County Office of the Sheriff, in Michigan arrested HERNANDEZ- MOLINA for operating while intoxicated and resist and obstruct officer.
7. On or about December 30, 2022, ICE ERO placed a detainer on HERNANDEZ-MOLINA at the Jackson County Jail, and on January 4, 2023, ICE ERO Detroit transported HERNANDEZ-MOLINA from the Jackson County Jail to the Detroit ICE field office and served him with a Notice of Intent /Decision to Reinstate prior order. ICE searched his fingerprints in government electronic systems resulting in a positive match for Luis Enrique HERNANDEZ-MOLINA, DOB XX/XX/1992, AXXX XXX 787, a previously removed alien.
8. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
9. ICE officers reviewed immigration file records and Department of Homeland Security electronic records, indicating that Luis Enrique HERNANDEZ-MOLINA AXXX XXX 787, did not obtain the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States.

10. Based on the above information, I believe there is probable cause to conclude that Luis Enrique HERNANDEZ-MOLINA, is an alien who was found in or reentered the United States after deportation or removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security in violation of Title 8, United States Code, Section 1326(a).



Monica Alaez, Deportation Officer
Immigration and Customs Enforcement

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Jonathan J.C. Grey
United States Magistrate Judge

Date: January 10, 2023